

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DANIEL F. DUANE #N36278,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 11 C 3180
	)	
WARDEN MARCUS HARDY,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

When respondent Warden Marcus Hardy's counsel presented a motion to dismiss the Complaint brought by Daniel Duane ("Duane")--a Complaint that is an identical reprint of other inmates' complaints challenging virtually every aspect of the conditions at Stateville Correctional Center ("Stateville," where Duane is in custody)--this Court conducted a status hearing (with Duane participating telephonically) in which it initially stated its intention to grant that motion. But when Duane then stated that he had recently filed a response to the motion (a response that had not yet reached this Court's chambers), a decision on the motion was deferred pending this opportunity to review that response when received.

That has now taken place, and this Court has concluded that a reply from Warden Hardy is needed. It is so ordered, with the reply to be filed on or before December 27, 2011.<sup>1</sup>



Milton I. Shadur

Date: December 5, 2011

Senior United States District Judge

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<sup>1</sup> This Court had originally denied Duane's request for the appointment of counsel because of his failure to comply with the requirements for that relief. Importantly, such a supplicant must show not only his financial inability to pay counsel but also the efforts that he has undertaken to obtain counsel on his own.